

## Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **BREATHABLE NEOPRENE SUBSTITUTE**

the specification of which is attached hereto unless the following box is checked:

☐ was filed on \_\_\_\_\_ as United States Application Number or PCT International Application Number  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, ☐ § 1.56.

I hereby claim foreign priority under Title 35, United States Code, ☐ § 119(a)-(d) or ☐ § 365(b) of any foreign application(s) for patent or inventor's certificate, or ☐ § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Applications

Priority Not Claimed

[SERIAL NO]      Country      DD/MMMM/YYYY

☐

[SERIAL NO]      Country      DD/MMMM/YYYY

☐

App. No.      Country      Day/Month/Year

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

**Serial No. 60/120,164 filed February 16, 1999**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Status: Patented/Pending/Abandoned

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: *(list name and registration number)*

<b>George L. Snyder, Jr.</b>	<b>Reg. No. 37,729</b>
<b>Robert P. Simpson</b>	<b>Reg. No. 33,034</b>
<b>R. Craig Kauffman</b>	<b>Reg. No. 20,362</b>

Send Correspondence to:

**Simpson, Simpson & Snyder**  
**5554 Main Street, Suite 200**  
**Williamsville, New York 14221**

Direct Telephone Calls to:

**George L. Snyder, Jr.**      **(716) 626-1564**

Direct Fax Transmissions to:

**George L. Snyder, Jr.**      **(716) 626-0366**

Full Name of sole or first inventor

Inventor's signature:

Date:

**Thomas BLASZCZYKIEWICZ**



2/14/2003

Residence:

**5602 Country Club Lane  
Hamburg, New York 14075**

Citizenship:

**United States**

Post Office Address:

**Same as above**

Express Mail Label No. EL 413 774 787 US

Ref. No. 202.000080

Applicant or Patentee: **Thomas BLASZCZYKIEWICZ**

Serial No.:

Filed:

Patent No.:

Issued:

For: **BREATHABLE NEOPRENE SUBSTITUTE**

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) AND 1.27 (b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Sections 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

**BREATHABLE NEOPRENE SUBSTITUTE**

described in:

- ☒ The specification filed herewith
- ☐ Application Serial No.:      Filed:
- ☐ Patent No.:      Issued:

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ No such person, concern, or organization
- ☒ Persons, concerns or organization listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

Full Name: ACCU-MED TECHNOLOGIES, INC.

Address: 90 Chenango Street, Buffalo, NY 14213

☐ Individual ☒ Small Business Concern ☐ Nonprofit

Full Name:

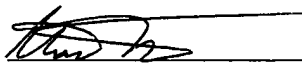
Address:

☐ Individual ☐ Small Business Concern ☐ Nonprofit

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Thomas BLASZCZYKIEWICZ

  
Signature

2/14/2000  
Date

Express Mail Label No. EL 413 774 787 US

Ref. No. 202.000080

Applicant or Patentee: **Thomas BLASZCZYKIEWICZ**

Serial No.:

Filed:

Patent No.:

Issued:

For: **BREATHABLE NEOPRENE SUBSTITUTE**

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) AND 1.27 (c)) – SMALL BUSINESS CONCERN

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern identified below empowered to act on behalf thereof:

NAME OF CONCERN: **ACCU-MED TECHNOLOGIES, INC.**

ADDRESS OF CONCERN: **90 Chenango Street, Buffalo, NY 14213**

I hereby declare that the above-identified small-business concern qualifies as a small business concern as defined in 13 CFR 121.3-18 for purposes of paying reduced fees under Sections 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention **BREATHABLE NEOPRENE SUBSTITUTE** described in:

- ☒ The specification filed herewith
- ☐ Application Serial No.:      Filed:
- ☐ Patent No.:      Issued:

If the rights held by the above-identified small business concern are not exclusive, each person, concern or organization having rights to the invention is listed below, and no rights are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern, or organization
- ☐ Persons, concerns or organization listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

Full Name:

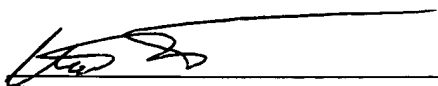
Address:

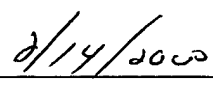
☐ Individual ☐ Small Business Concern ☐ Nonprofit

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**Thomas BLASZCZYKIEWICZ**  
**President**  
**Accu-Med Technologies, Inc.**

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date